

MINUTES
SENATE JUDICIARY & RULES COMMITTEE

DATE: Monday, January 25, 2021

TIME: 1:30 P.M.

PLACE: Room WW54

MEMBERS PRESENT: Chairman Lakey, Vice Chairman Ricks, Senators Lodge, Lee, Thayn, Zito, Burgoyne, and Wintrow

ABSENT/ EXCUSED: Senator Anthon

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Lakey** called the meeting of the Senate Judiciary and Rules Committee (Committee) to order at 1:30 p.m.

VOTE ON GUBERNATORIAL APPOINTMENT: **Senator Lodge** moved to send the gubernatorial appointment of Patrick McDonald to the Commission of Pardons and Parole to the floor with a recommendation that he be confirmed by the Senate. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.

VOTE ON GUBERNATORIAL APPOINTMENT: **Senator Burgoyne** moved to send the gubernatorial appointment of Michael Ross to the Commission of Pardons and Parole to the floor with a recommendation that he be confirmed by the Senate. **Senator Thayn** seconded the motion. The motion carried by **voice vote**.

GUBERNATORIAL APPOINTMENT: **The Committee Consideration of the Gubernatorial Appointment of Shelly Parker of Boise, Idaho, to the Idaho Commission of Pardons and Parole (Commission) for a term commencing October 2, 2020, and expiring January 1, 2023.** **Ms. Parker** gave a brief review of her background and expressed her desire to use her experience to continue to serve where she can make a difference. Her goal in serving on the Commission is to recognize each person as an individual who has different strengths and weaknesses and to help them be successful.

GUBERNATORIAL APPOINTMENT: **The Committee Consideration of the Gubernatorial Appointment of Scott Smith of Star, Idaho, to the Idaho Commission of Pardons and Parole (Commission) for a term commencing July 2, 2020, and expiring January 1, 2023.** **Mr. Smith** indicated that he has spent his life in public service including 32 years working for the FBI, which gave him a wealth of experience to qualify him for this position. One of his focus areas is to help potential parolees recognize their weaknesses and work through them before reassimilating into society. He stated he sees Idaho's penal system being very effective in helping parolees succeed.

RS 28113 **Relating to the Idaho State Appellate Public Defender Act.** **Eric Fredericksen**, State Appellate Public Defender, stated this legislation would repeal Idaho Code § 19-867 through § 19-872 by adding a new chapter, Idaho Code Chapter 59, Title 19. **Mr. Fredericksen** explained that these changes will allow the Public Defense Commission to have its own chapter in Idaho Code, which will make them, and what they do, more identifiable.

MOTION: **Senator Thayn** moved to introduce **RS 28113** to print. **Senator Lodge** seconded the motion. Motion passed by **voice vote**.

RS 28243 **Relating to Temporary Guardians.** Jason Slade Spillman, Legal Counsel, Administrative Office of the Courts, pointed out that **RS 28243** relates to a time frame of ten days of the request for the appointment of a guardian for persons with a developmental disability. **RS 28243** asks that the time frame be moved to 14 days.

MOTION: **Senator Lodge** moved to introduce **RS 28243** to print. **Senator Thayn** seconded the motion. Motion passed by **voice vote**.

RS 28244 **Relating to Hospitalization of the Mentally Ill.** Mr. Spillman stated **RS 28244** relates to a seven day-increment for the process of the commitment of mentally ill persons. Parties in said cases can request a continuance limited up to five days. **RS 28244** would extend that time period to seven days.

MOTION: **Senator Wintrow** moved to introduce **RS 28244** to print. **Senator Lee** seconded the motion. Motion passed by **voice vote**.

PASSED THE GAVEL: Chairman Lakey passed the gavel to Vice Chairman Ricks.

DOCKET NO. 21-0000-2000F **Relating to Rules Governing Maintenance Charges, Monthly Charges and Allowances for Nursing Care and Residential and Domiciliary Care and Fees for Interment, Disinterment, and Reinterment .**Pete Koehler Administrator, Idaho Department of Veterans Services (IDVS) indicated that this is an omnibus rule and each rule was previously reviewed and approved by the Legislature. Their approach was to make changes that were in line with the Red-Tape Reduction Act, such as deleting items deemed obsolete or unnecessary.

MOTION: **Chairman Lakey** moved to approve **Docket No. 21-0000-2000F**. **Senator Lodge** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Vice Chairman Ricks passed the gavel to Chairman Lakey.

ADJOURNED: There being no further business at this time, **Chairman Lakey** adjourned the meeting at 2:00 p.m.

Senator Lakey
Chair

Sharon Pennington
Secretary